

PATENT  
9,25,02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

#### In the Application of:

Robert Harvey Moffett

CASE NO : CH2814 US NA

SERIAL NO : 09/898 437

GROUP ART UNIT: 1734

EIJ ED: 07/03/2001

EXAMINER: Peter Haukele

## FOR: Phosphorus Reduction in Aqueous Streams

**NOTICE OF APPEAL**

**Assistant Commissioner for Patents  
Washington, DC 20231**

Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the decision dated June 12, 2002 of the Primary Examiner finally rejecting Claims 1-40.

Please charge the Notice of Appeal Fee to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company) as shown in the accompanying form PTO/SB/31. If the fee is insufficient or incorrect, please charge or credit the Deposit Account. This Notice of Appeal is submitted in duplicate.

Respectfully submitted,  
  
Lucas K. Shay  
Registration No. 34,724  
Telephone: 302-992-6154  
Facsimile: 302-892-7925

Dated: September 11, 2002

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NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCESDocket Number (Optional)  
CH2814 US NA

In re Application of Robert Harvey Moffett	
Application Number 09/898,437	Filed 07/03/2001
For: Phosphorus Reduction in Aqueous Streams	
Group Art Unit: 1724	Examiner: Peter Hruskoci

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, June 12, 2002, rejecting the following claims: 1-40.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 310.  
 A check in the amount of the fee is enclosed. \$ \_\_\_\_\_.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.  
 The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 04-1928. I have enclosed a duplicate copy of this sheet.  
 A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- applicant/inventor.  
 assignee of record of the entire interest. See 37 CFR 3.71.  
 Statement under 37 CFR 3.73(b) is enclosed.  
 attorney or agent of record.  
 attorney or agent acting under 37 CFR 1.34(a).  
 Registration number if acting under 37 CFR 1.34(a).\_\_\_\_\_.



Signature

Lucas K. Shay

Typed or printed name

September 11, 2002

Date

NOTE: SIGNATURES OF ALL THE INVENTORS OR ASSIGNEES OF RECORD OF THE ENTIRE  
INTEREST OR THEIR REPRESENTATIVE(S) ARE REQUIRED. SUBMIT MULTIPLE  
FORMS IF MORE THAN ONE SIGNATURE IS REQUIRED. SEE BELOW.

- \*Total of 1 forms are submitted.

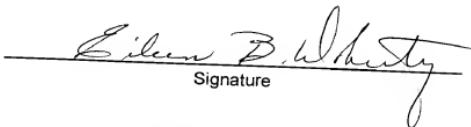
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09/898,437  
CH2814 US NA  
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